

**IN THE CLAIMS:**

Please cancel claims 13-15 without prejudice.

This listing of claims replaces all prior versions and listings of claims in the application:

**Listing of Claims**

1. (Currently Amended) A transformant comprising a host cell, wherein a polyhydroxybutanoic acid polymerase gene in the host cell is disrupted with a recombinant vector containing ~~a DNA selected from the group consisting of a polyester polymerase gene, a  $\beta$ -ketothiolase gene, and a NADPH-acetoacetyl CoA reductase gene.~~
2. (Currently Amended) The transformant of claim 1, wherein the polyester polymerase gene comprises a DNA encoding a protein selected from the group consisting of:
  - (a) a protein having an amino acid sequence represented by SEQ ID NO:2 or 4, and
  - (b) a protein having an amino acid sequence including deletion, substitution, or addition of ~~one~~ two or more amino acids relative to the amino acid sequence represented by SEQ ID NO:2 or 4, and having polyester polymerase activity, wherein the number of deleted, substituted, or added amino acids is between ~~2~~ 2 and ~~5~~ 5 and 10.
3. (Previously Presented) The transformant of claim 1, wherein the polyester polymerase gene comprises a nucleotide sequence represented by SEQ ID NO: 1 or 3.

4. (Currently Amended) The transformant of claim 1, wherein the  $\beta$ -ketothiolase gene comprises a DNA encoding a protein selected from the group consisting of:
  - (a) a protein having an amino acid sequence represented by SEQ ID NO:6, and
  - (b) a protein having an amino acid sequence including deletion, substitution, or addition of ~~one~~ two or more amino acids relative to the amino acid sequence represented by SEQ ID NO:6, and having  $\beta$ -ketothiolase activity, wherein the number of deleted, substituted, or added amino acids is between ~~2 and 5~~ or ~~between 5~~ 2 and 10.
5. (Previously Presented) The transformant of claim 1, wherein the  $\beta$ -ketothiolase gene comprises a nucleotide sequence represented by SEQ ID NO:5.
6. (Currently Amended) The transformant of claim 1, wherein the NADPH-acetoacetyl CoA reductase gene comprises a DNA encoding a protein selected from the group consisting of:
  - (a) a protein having an amino acid sequence represented by SEQ ID NO:8, and
  - (b) a protein having an amino acid sequence including deletion, substitution, or addition of ~~one~~ two or more amino acids relative to the amino acid sequence represented by SEQ ID NO:8, and having NADPH-acetoacetyl CoA reductase activity, wherein the number of deleted, substituted, or added amino acids is between ~~2 and 5~~ or ~~between 5~~ 2 and 10.
7. (Previously Presented) The transformant of claim 1, wherein the NADPH-acetoacetyl CoA reductase gene comprises a nucleotide sequence represented by SEQ ID NO:7.
8. (Previously Presented) The transformant of claim 1 wherein the host cell is a bacterium belonging to the genus *Pseudomonas* or the genus *Ralstonia*.

9. (Original) The transformant of claim 8, wherein the bacterium belonging to the genus *Pseudomonas* is *Pseudomonas* sp. strain 61-3 (JCM10015).
10. (Previously Presented) A method of producing copolymer polyester comprising culturing the transformant of any one of claims 1 to 9, and collecting polyester from the culture product.
11. (Original) The method of producing copolymer polyester of claim 10, wherein the polyester comprises 3-hydroxyalkanoic acid units with a carbon number of 4 to 12.
12. (Original) The method of producing copolymer polyester of claim 11, wherein the 3-hydroxyalkanoic acid units contain 3-hydroxybutanoic acid with 80 to 95% molar fraction.

Claims 13-15. (Canceled)